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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re the Application of                             | ) | Examiner: Not Assigned                             |
| Lee et al.   | ) | Art Unit: 3762                                     |
| Serial No.: 10/796,328                               | ) | Confirmation No.: 2106                             |
| Filed: March 8, 2004                                 | ) | Customer No.: 22430                                |
| For: <b>EXCISIONAL BIOPSY<br/>DEVICE AND METHODS</b> | ) | Total Pages: 14                                    |
| Docket No.: RUBI5531D1C3                             | ) | <b><u>INFORMATION DISCLOSURE<br/>STATEMENT</u></b> |


Commissioner for Patents  
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Alexandria, VA 22313-1450

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Applicants wish to bring to the attention of the Patent Office the reference listed on the attached form PTO/SB/08A and request that it be considered by the Examiner. Attached is a copy of the reference listed on the attached (6pgs) and an English translation of the same (6pgs).

This information disclosure statement is being filed under 37 C.F.R. §1.97(b)(3), therefore, no fees are due with this communication.

Respectfully submitted,

Date: Oct 13, 2004By:   
Alan W. Young  
Attorney for Applicant  
Registration No. 37,970

YOUNG LAW FIRM, P.C.  
4370 Alpine Rd., Ste. 106  
Portola Valley, CA 94028  
Tel.: (650) 851-7210  
Fax: (650) 851-7232

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I hereby certify that these papers are being facsimile transmitted to the United States Patent and Trademark Office (fax no. 703/872-9306) addressed to the Commissioner for Patents on October 13, 2004.

  
Nita J. Miller

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

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| Substitute for form 1448/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |   | <b>Complete if Known</b> |               |
|  |   | Application Number       | 10/798,328    |
|  |   | Filing Date              | March 8, 2004 |
|  |   | First Named Inventor     | Roberta LEE   |
|  |   | Art Unit                 | 3762          |
|  |   | Examiner Name            | Not Assigned  |
|  |   | Attorney Docket Number   | RUBI5531D1C3  |
| Sheet  | 1 | of                       | 1             |

[illegible]

| FOREIGN PATENT DOCUMENTS |          |   |                  |   |   |    |
|--------------------------|----------|---|------------------|---|---|----|
| Examiner Initials*       | Cita No. | Foreign Patent Document                     | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | 7* |
|                          |          | Country Code* Number* Kind Code* (if known) | MM-DD-YYYY       |   |   |    |
|                          | 1        | DE 195 28 440 A1                            | 02/08/1997       | Dr. Harald Kubler                               |   | ✓  |
|                          |          |   |                  |   |   |    |
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|                       |                    |
|-----------------------|--------------------|
| Examiner<br>Signature | Date<br>Considered |
|-----------------------|--------------------|

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